

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X
UNITED STATES OF AMERICA

v.

DOUG WHITMAN, et al.,

Defendants.
----- X

No. 12 Cr. 125 (JSR)

**DECLARATION OF
ALEXANDRA A.E. SHAPIRO**

ALEXANDRA A.E. SHAPIRO, pursuant to 28 U.S.C. § 1746, declares as follows:

1. I am an attorney duly admitted to practice law in the State of New York and the District of Columbia and am admitted to practice before this Court. I am a member of the law firm Shapiro Arato LLP, and am co-counsel for defendant Douglas Whitman.

2. I submit this declaration in support of Mr. Whitman's motion pursuant to 28 U.S.C. § 2255 to vacate his conviction and sentence.

3. Attached as Exhibit 1 to this declaration is a true and correct copy of the Indictment.

4. Attached as Exhibit 2 to this declaration is a true and correct copy of relevant excerpts from the transcripts of Mr. Whitman's trial.

5. Attached as Exhibit 3 to this declaration is a true and correct copy of relevant excerpts of Docket No. 36, the Government's Memorandum of Law in Opposition to Defendant Doug Whitman's Motions To Dismiss the Indictment and Suppress Wiretap Evidence, dated May 11, 2012.

6. Attached as Exhibit 4 to this declaration is a true and correct copy of relevant excerpts of the government's brief in *United States v. Whitman*, 13-491 (2d. Cir.).

7. Attached as Exhibit 5 to this declaration is a true and correct copy of Docket No. 31, Defendant Douglas F. Whitman's Motion to Dismiss the Indictment and Memorandum of Law in Support, dated April 13, 2012.

8. Attached as Exhibit 6 to this declaration is a true and correct copy of relevant excerpts from the transcript of the June 21, 2012 court conference in this matter.

9. Attached as Exhibit 7 to this declaration is a true and correct copy of relevant excerpts of Docket No. 73, Defendant Douglas F. Whitman's Proposed Jury Instructions, dated July 23, 2012.

10. Attached as Exhibit 8 to this declaration is a true and correct copy of relevant excerpts of Defendant Douglas F. Whitman's brief in *United States v. Whitman*, 13-491 (2d Cir.).

11. Attached as Exhibit 9 to this declaration is a true and correct copy of relevant excerpts of the January 23, 2015 Petition of the United States of America for Rehearing and Rehearing *En Banc* in *United States v. Newman*, 13-1837 (2d Cir.).

I declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York
March 25, 2015

s/ Alexandra A.E. Shapiro
Alexandra A.E. Shapiro